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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,338	01/30/2002	Robert G. Watkins	06975-232001	6135
26171	7590	11/03/2006	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			VU, THONG H	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/058,338

Applicant(s)

WATKINS, ROBERT G.

Examiner

Thong H. Vu

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-12,16-20,22-25,27-37,39-43,47-51,53-56,58-68,70-74,78-80,83-86,88-92 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**Continuation of Disposition of Claims:** Claims pending in the application are 1-6,8-12,16-20,22-25,27-37,39-43,47-51,53-56,58-68,70-74,78-80,83-86 and 88-92.

1. Claims 1-6,8-12,16-20,22-25,27-37,39-43,47-51,53-56,58-68,70-74,78-80,83-86,88-92 are pending. Claims 7,13-15,21,26,38,44-46,52,57,69,75-77,81-82 and 87 are canceled.
2. This Office Action is response to the Continuation filed 5/03/06.

***Response to Arguments***

3. Applicant's arguments, see page 1, filed 10/10/06, with respect to the rejection(s) of claim(s) 1-6,8-12,16-20,22-25,27-37,39-43,47-51,53-56,58-68,70-74,78-80,83-86,88-92 under Allahwerdi-Nelson have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Allahwerdi-Audebert.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6,8-12,16-20,22-25,27-37,39-43,47-51,53-56,58-68,70-74,78-80,83-86,88-92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allahwerdi et al [Allahwerdi 6,928,558 B1] in view of Audebert [5,887,065].

4. As per claim 63, Allahwerdi discloses an apparatus for identifying an unauthorized client communication system seeking access to a host communication

system [Allahwerdi, prevent unauthorized users from accessing the system, col 1 lines 15-25] the apparatus comprising:

a performing device structured and arranged to perform at a client, a first mathematical computation on an access password and a client-communication-system-specific identifier [Allahwerdi, a first password in the mobile station, specific identifier, abstract];

a receiving device structured and arranged to receive, at the host, from the client communication systems a client-communication-system-specific identifier and results of a (first) mathematical computation performed at the client on an access password and the client-communication-system-specific identifier [Allahwerdi, generating a second password at the server, abstract];

an accessing device structured and arranged to access, at the host, a password [Allahwerdi, searching database, password, abstract];

a performing device structured and arranged to perform a (second) mathematical computation using the accessed password and the client-communication-system-specific identifier received from the client communication systems [Allahwerdi, predetermined algorithm, abstract];

a computing device structured and arranged to compare results of the first and second mathematical computations or passwords [Allahwerdi, comparing the first and second password, abstract] ; and

a designating device structured and arranged to designate a client communication system as unauthorized based on the results of the first and-second

Art Unit: 2142

mathematical computation or passwords, wherein the client-communication-system-specific identifier is derived from information that identifies at least a hardware component or aspect of the client communication system [Allahwerdi, device specific identifier, abstract].

However Allahwerdi does not explicitly detail the predetermined algorithm as the first and second mathematical computation.

It was well-known in the security art that the formulas or mathematic algorithm was used to create the multiple passwords for computer system [see Braddy, Chacon, Hoffman, Seheidt, Janhila, Audebert, Dierks references]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the different algorithm from that of the calculating means of the first unit and second unit [Audebert, col 4 lines 13-32] as taught by Audebert into the Allahwerdi's apparatus in order to utilize the algorithm.

Doing so would provide a quick, simple and more direct way to determine the passwords.

5. As per claim 19, Allahwerdi-Audebert disclose A method for handling information about an authorized client communication system, the method comprising:

storing a version of an access password [Allahwerdi, searching database, a first password, abstract];

storing a client-communication-system-specific identifier and results of a first

Art Unit: 2142

mathematical computation performed, at a client communication system, on the access password and the client-communication-system-specific identifier from the client communication system retrieved from a client communication system;

performing a second mathematical computation on the stored access password and the retrieved client-communication-system-specific identifier, and

storing the results of the second mathematical computation, wherein the client-communication-system-specific identifier is derived from information that identifies at least a hardware component or aspect of the client communication system.

As per claim 32 Allahwerdi-Audebert disclose A computer readable medium or propagated signal having embodied thereon a computer program for identifying an unauthorized client communication system seeking access to a host communication system, the computer program comprising:

a performing code segment for performing a first mathematical computation on an access password and a client-communication-system-specific identifier [Allahwerdi, password, device specific identifier, abstract];

a receiving code segment for receiving, at the host, from the client communication system, a client-communication-system-specific identifier and results of a first mathematical computation performed at the client on an access password and the client-communication-system-specific identifier [Allahwerdi, a known algorithm, abstract];

a received code segment for retrieving, at the host, a password [Allahwerdi, searching database, password, abstract];

a performing code segment for performing a second mathematical computation using the received password and the client-communication-system-specific identifier received from the client communication system [Audebert, the different algorithm from that of the calculating means of the first unit and second unit, col 4 lines 13-32];

comparing results of the first and second mathematical computations [Audebert, compared in the server, col 4 lines 13-32]; and

a designating code segment for designating a client communication system as unauthorized based on a results of the first and second mathematical computations, wherein the client-communication-system-specific identifier is derived from information that identifies at least a hardware component or aspect of the client communication system [Allahwerdi, prevent unauthorized users, col 1 lines 15-25].

6. As per claim 50 Allahwerdi-Audebert disclose A computer readable medium or propagated signal having embodied thereon a computer program for handling information about an authorized client communication system, the computer program comprising:

an access password storing code segment for storing a version of an access password [Allahwerdi, a first password, abstract];



a storing code segment for storing, at the host, a client-communication-system-specific identifier and results of a first mathematical computation performed on the access password [Allahwerdi; a known algorithm, abstract] and

the client-communication-system-specific identifier from the client communication system retrieved from a client communication system [Allahwerdi, password, device specific identifier, abstract];

a performing code segment for performing a second mathematical computation on the stored access password and the retrieved client-communication-system-specific identifier [Audebert, the different algorithm from that of the calculating means of the first unit and second unit, col 4 lines 13-32]; and

a computation storing code segment for storing the results of the second mathematical computations, wherein the client-communication-system-specific identifier is derived from information that identifies at least a hardware component or aspect of the client communication system [Audebert, derivation process, col 9 lines 55-62].

7. As per claim 79 Allahwerdi-Audebert disclose An apparatus for handling information about an authorized client communication system, the apparatus comprising:

an access password device structured and arranged to store a version of an access password [Allahwerdi, a first password, abstract];

a receiving device structured and arranged to receive, at the host, from the client

Art Unit: 2142

communication system, a client-communication-system-specific identifier and results of a first mathematical computation performed at the client on an access password and the client-communication-system-specific identifier [Allahwerdi, a known algorithm, password, device specific identifier, abstract];

an accessing device structured and arranged to access, at the host, a password [Allahwerdi, searching database, password, abstract];

a performing device structured and arranged to perform a second mathematical computation using the accessed password and the client-communication-system-specific identifier received from the client communication system [Audebert, the different algorithm from that of the calculating means of the first unit and second unit, col 4 lines 13-32];

a comparing device structured and arranged to compare results of the first and second mathematical computations [Audebert, compared in the server, col 4 lines 13-32]; and

a performing device structured and arranged to perform a second mathematical computation on the stored access password and the retrieved client-communication-system-specific identifier [Audebert, the different algorithm from that of the calculating means of the first unit and second unit, col 4 lines 13-32]; and

a computation storing device structured and arranged to store the results of the second mathematical computations, wherein the client-communication-system-specific identifier is derived from information that identifies at least a hardware component or

aspect of the client communication system [Audebert, derivation process, col 9 lines 55-62].

8. As per claim 1 Allahwerdi-Audebert A method for determining whether a client communication system seeking access to a host communication system is authorized to do so, the method comprising:

receiving, at the host, from the client communication system, a client-communication-system-specific identifier and results of a first mathematical computation performed at the client on an access password and the client-communication-system-specific identifier [Allahwerdi, a known algorithm, password, device specific identifier, abstract];

accessing, at the host, a password [Allahwerdi, searching database, password, abstract];

performing a second mathematical computation using the accessed password and the client-communication-system-specific identifier received from the client communication system [Audebert, the different algorithm from that of the calculating means of the first unit and second unit, col 4 lines 13-32];

comparing results of the first and second mathematical computations [Audebert, compared in the server, col 4 lines 13-32]; and

designating a client communication system as unauthorized based on the comparison of the a results of the first and second mathematical computation, wherein the client-communication-system-specific identifier is derived from information that

identifies at least a hardware component or aspect of the client communication system [Audebert, derivation process, col 9 lines 55-62].

9. As per claim 2, Allahwerdi-Audebert disclose either the first or second mathematical computations comprises a hashing algorithm [Audebert, the different algorithm from that of the calculating means of the first unit and second unit, col 4 lines 13-32].

10. As per claim 3, Allahwerdi-Audebert disclose the first mathematical computation is performed when a communication is initiated [Audebert, the different algorithm from that of the calculating means of the first unit and second unit, col 4 lines 13-32].

11. As per claim 4, Allahwerdi-Audebert disclose the access password comprises a subscriber password [Allahwerdi, subscriber specific identifier, col 3 lines 42].

12. As per claim 5, Allahwerdi-Audebert disclose the access password comprises a user password [Allahwerdi, user password, col 1 lines 15-25].

13. As per claim 6, Allahwerdi-Audebert disclose the access password comprises an account password as alternative choice of password.

Art Unit: 2142

14. As per claim 8, Allahwerdi-Audebert disclose the client-communication-system-specific identifier comprises a device-specific identifier [Allahwerdi, device specific identifier, abstract].

15. As per claim 9, Allahwerdi-Audebert disclose the device-specific identifier comprises a hard disk identifier [Allahwerdi, device specific identifier, abstract].

16. As per claim 10, Allahwerdi-Audebert disclose the device-specific identifier comprises an Ethernet address [Allahwerdi, device specific identifier, abstract].

17. As per claim 11, Allahwerdi-Audebert disclose the device-specific identifier comprises a central processing unit serial number [Allahwerdi, device specific identifier, abstract].

18. As per claim 12, Allahwerdi-Audebert disclose the device-specific identifier comprises a description of the storage characteristics of the hard disk [Allahwerdi, device specific identifier, abstract].

19. As per claim 16, Allahwerdi-Audebert disclose sending a notification to the client communication system indicating the designation of the client communication system as an unauthorized client communication system if the result of the first mathematical

Art Unit: 2142

computation does not correspond to the result of the second mathematical computation [Allahwerdi, prevent unauthorized users from accessing the system, col 1 lines 15-25].

20. As per claim 17, Allahwerdi-Audebert disclose terminating communications from the client communication system if the result of the first mathematical computation does not correspond to result of the second mathematical computation as inherent feature of prevent unauthorized users from accessing the system [Allahwerdi, col 1 lines 15-25].

21. As per claim 18, Allahwerdi-Audebert disclose terminating communications is performed after a predetermined delay if the result of the first mathematical computation does not correspond to the result of the second mathematical computation as inherent feature of prevent unauthorized users from accessing the system [Allahwerdi, col 1 lines 15-25].

22. Claims 20-25,27-31; 33-37,39-43,47-49,51,53-56,58-62; 64-68,70-74,78; 80,83-86,88-92 contain the identical limitations set forth in claims 2-6,8-12,16-18. Therefore claims 20-25,27-31; 33-37,39-43,47-49,51,53-56,58-62; 64-68,70-74,78; 80,83-86,88-92 are rejected for the same rationale set forth in claims 2-6,8-12,16-18.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 6:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Andrew Caldwell*, can be reached at (571) 272-3868. The fax number for the

Art Unit: 2142

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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